

I. The USSR has since 1918 consistently claimed particular rights in a 12-mile zone, and in 1960 it formally claimed by statute such a zone as Soviet territory. Originally this position was made for defensive purposes at a time when 12 miles was more than some other great powers claimed. But now the strong Soviet support for this limit to be the general territorial-sea rule--the USSR has successively strengthened its stance on this issue in the 1958, 1960, and 1974 international conferences--is intended to stave off more extensive claims by other states as Soviet naval, merchant, and fishing interests have led the USSR generally to adopt a "freedom of the seas" approach.

The USSR's 200-mile fishing zone went into effect 1 March 1977. Moscow would not have taken such a step but for previous similar steps by other important states (e.g. the UK two months earlier, the US on the same day), steps which harm Soviet fishing interests far more than the Soviet claim harms theirs. There was little leverage left in a Soviet threat to make such a claim once the most important states from the standpoint of Soviet interests (e.g. the developed, not the LDCs) had shifted their policies, and the Soviets may have hoped that their move will strengthen the notion that the 200-mile limit should be only for fishing jurisdiction and not be territorial.

II. The USSR, a "have" power now in maritime affairs, is against any "creeping jurisdiction" by other states. It hopes to keep the territorial zone strictly limited to 12 miles, and the purposes for and effects of more extensive jurisdictional claims as limited as possible. At the same time, it is quite desirous of keeping on the good side of the LDCs on LOS issues in order to show that the Soviets are a better international supporter of their interests than Washington and to prevent Peking's outflanking them politically. Moscow is willing therefore to accept such compromises as licensing arrangements for fishing in foreign waters and the payment of fees to adjacent states for straits passages.

16 May/1700

Frank:

Here is ORPA/USSR's  
contribution on the LOS  
NIE. The USSR  
should be listed on  
attachment A as a  
12-mile state.

Doug.

It is SECRET NOFORN.